



This document is scheduled to be published in the Federal Register on 05/17/2016 and available online at <http://federalregister.gov/a/2016-11617>, and on FDsys.gov

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Determination under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement (“CAFTA-DR Agreement”)

AGENCY: The Committee for the Implementation of Textile Agreements

ACTION: Determination to add a product in unrestricted quantities to Annex 3.25 of the CAFTA-DR Agreement

SUMMARY: The Committee for the Implementation of Textile Agreements (“CITA”) has determined that certain warp stretch woven rayon blend fabrics, as specified below, are not available in commercial quantities in a timely manner in the CAFTA-DR countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

DATE: Effective [INSERT DATE OF PUBLICATION OF PUBLICATION IN THE FEDERAL REGISTER]

FOR FURTHER INFORMATION CONTACT: Maria Goodman, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3651.

FOR FURTHER INFORMATION ON-LINE: <http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf> under “Approved Requests,” Reference number: 199.2016.04.12.Fabric.GDLSKforTangTextiles

SUPPLEMENTARY INFORMATION:

Authority: The CAFTA-DR Agreement; Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (“CAFTA-DR Implementation Act”), Pub. Law 109-53; the Statement of Administrative Action, accompanying the CAFTA-DR Implementation Act; and Presidential Proclamations 7987 (February 28, 2006) and 7996 (March 31, 2006).

Background:

The CAFTA-DR Agreement provides a list in Annex 3.25 for fabrics, yarns, and fibers that the Parties to the CAFTA-DR Agreement have determined are not available in commercial quantities in a timely manner in the territory of any Party. The CAFTA-DR Agreement provides that this list may be modified pursuant to Article 3.25.4 and 3.25.5, when the President of the United States determines that a fabric, yarn, or fiber is not available in commercial quantities in a timely manner in the territory of any Party. See Annex 3.25 of the CAFTA-DR Agreement; see also section 203(o)(4)(C) of the CAFTA-DR Implementation Act.

The CAFTA-DR Implementation Act requires the President to establish procedures governing the submission of a request and providing opportunity for interested entities to submit comments and supporting evidence before a commercial availability determination is made. In Presidential Proclamations 7987 and 7996, the President delegated to CITA the authority under section 203(o)(4) of CAFTA-DR Implementation Act for modifying the Annex 3.25 list. Pursuant to this authority, on September 15, 2008, CITA published modified procedures it would follow in considering requests to modify the Annex 3.25 list of products determined to be not commercially available in the territory of any Party to CAFTA-DR (*Modifications to Procedures for Considering Requests Under the Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement*, 73 FR 53200) (“CITA’s procedures”).

On April 12, 2016, the Chairman of CITA received a request for a Commercial Availability determination (“Request”) from Grunfeld, Desiderio, Lebowitz, Silverman, & Klestadt, LLC, on behalf of Tang Textiles & Apparel, for certain warp stretch woven rayon blend fabrics. On April

14, 2016, in, in accordance with CITA's procedures, CITA notified interested parties of the Request, which was posted on the dedicated website for CAFTA-DR Commercial Availability proceedings. In its notification, CITA advised that any Response with an Offer to Supply ("Response") must be submitted by April 26, 2016, and any Rebuttal Comments to a Response must be submitted by May 2, 2016, in accordance with sections 6 and 7 of CITA's procedures. No interested entity submitted a Response to the Request advising CITA of its objection to the Request and its ability to supply the subject product.

In accordance with section 203(o)(4)(C) of the CAFTA-DR Implementation Act, and section 8(c)(2) of CITA's procedures, as no interested entity submitted a Response objecting to the Request and providing an offer to supply the subject product, CITA has determined to add the specified fabric to the list in Annex 3.25 of the CAFTA-DR Agreement.

The subject product has been added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities. A revised list has been posted on the dedicated website for CAFTA-DR Commercial Availability proceedings.

SPECIFICATIONS: Certain Warp Stretch Woven Rayon Blend Fabrics

Fabric #1: Warp Stretch Woven Rayon/Nylon/Spandex Fabric

HTS classifications: 5516.22.00, 5516.23.00, 5516.24.00

Fiber Content: Rayon: 67-80%; Nylon: 15-35%; Spandex: 2-6%

Yarn Configuration:

Warp – Nylon filament combined with Spandex filament;

Filling – Rayon staple

Yarn Denier: Nylon and Spandex of various deniers.

Width: Metric: 139-153cm; (English: 55-60 inches)

Weight: Metric: 220-315 grams per square meter

Thread Count (Density):

Metric: 30-74 ends per cm (warp) x 27-38 picks per cm (filling)

English: 76-185 ends per inch (warp) x 70-95 picks per inch (filling)

Weave type: Various weaves

Finish/Processing: Of yarns of different colors and/or piece dyed and/or printed.

Fabric #2: Warp Stretch Woven Rayon/Polyester/Nylon/Spandex Fabric

HTS classifications: 5407.10.00, 5407.92.20, 5407.93.20, 5407.94.20, 5516.22.00, 5516.23.00, 5516.24.00;

Fiber Content: Rayon: 30-70%; Polyester: 20-52%; Nylon: 9-35%; Spandex: 2-6%

Yarn Configuration:

Warp – Nylon filament, Polyester filament & Spandex filament;

Filling – Rayon staple combined with Polyester filament

Yarn Denier: Nylon, Polyester and Spandex of various deniers.

Width: Metric: 139-153cm; (English: 55-60 inches)

Weight: Metric: 220-315 grams per square meter

Thread Count (Density):

Metric: 30-48 ends per cm (warp) x 27-40 picks per cm (filling)

English: 76-120 ends per inch (warp) x 70-100 picks per inch (filling)

Weave type: Various weaves

Finish/Processing: Of yarns of different colors and/or piece dyed and/or printed.

Joshua Teitelbaum

Chairman, Committee for the Implementation of Textile Agreements

BILLING CODE 3510-DR

[FR Doc. 2016-11617 Filed: 5/16/2016 8:45 am; Publication Date: 5/17/2016]